

United States District Court

SOUTHERN

DISTRICT OF

TEXAS

McALLEN DIVISION

United States District Court
Southern District of Texas

UNITED STATES OF AMERICA

V.

FILED

CRIMINAL COMPLAINT

AUG 12 2014

Santos Rivera-Garcia

Principal

Case Number:

A200 819 144

YOB: 1970

the United Mexican States

Clerk of Court

M-14-1549-M

(Name and Address of Defendant)

I, the undersigned complainant being duly sworn state the following is true and correct to the best of my knowledge and belief. On or about August 11, 2014 in Hidalgo County, in the Southern District of Texas defendants(s) did,
(Track Statutory Language of Offense)

knowing or in reckless disregard of the fact that Saira Lizeth Paz-Murillo, citizen and national of Honduras, and Rita Beatriz Avalos-Peraza, citizen and national of El Salvador, along with four (4) other undocumented aliens, for a total of six (6), who had entered the United States in violation of law, did knowingly transport, or move or attempts to transport said aliens in furtherance of such violation of law within the United States, that is, from a location near Mission, Texas to the point of arrest near Mission, Texas,

in violation of Title 8 United States Code, Section(s) 1324(a)(1)(A)(ii) FELONY

I further state that I am a(n) U.S. Senior Border Patrol Agent and that this complaint is based on the following facts:

On August 11, 2014, Border Patrol Agent (BPA) J. Vega was conducting patrol duties near the Anzalduas Park in Mission, Texas. This area is approximately 25 yards from the Rio Grande River and frequently utilized for alien and narcotic smuggling. As BPA Vega monitored the area, he observed seven subjects aboard an inflatable raft make entry into the United States from Mexico. The subjects walked for a short distance and hid in a brushy area for approximately six hours. All of the subjects then emerged from the brush and proceeded to walk north in a single line. BPA Vega managed to intercept the group and detain the individuals for an immigration inspection. After a brief interview, all of the subjects admitted being illegally present in the U.S. All of the subjects were then transported for further questioning and processing.

SEE ATTACHED:

Continued on the attached sheet and made a part of this complaint:

OK to file. TRJ

☒ Yes ☐ No

Signature of Complainant

Frediberto Hernandez Senior Patrol Agent

Printed Name of Complainant

Sworn to before me and subscribed in my presence,

August 12, 2014

Date

at McAllen, Texas

City and State

Dorina Ramos, U. S. Magistrate Judge

Name and Title of Judicial Officer

Signature of Judicial Officer

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
McALLEN, TEXAS**

ATTACHMENT TO CRIMINAL COMPLAINT:

M-14-1549-M

RE: Santos Rivera-Garcia

A200 819 144

CONTINUATION:

At the station, one of the subject's records revealed a lengthy immigration history. Santos Rivera-Garcia has been apprehended 21 times by Border Patrol since 2003 and has been deported 12 times since 2010. He has also been convicted of 8 USC 1325 in the McAllen Division 10 times since 2010 ranging in punishment from time served to 150 days confinement.

Based on material witness statements, Rivera-Garcia was identified as a foot guide linking him to alien smuggling in this case.

Principal Statement:

Santos Rivera-Garcia was read his Miranda Rights and requested an attorney be present for questioning. No questions were asked.

Material Witness Statements:

Both Material Witnesses were read their Miranda Rights and provided statements.

1. Saira Lizeth Paz-Murillo claimed to be a citizen of Honduras and illegally entered into the U.S. Paz stated she paid a smuggler \$4,000 as an advance to be smuggled to New York City. Paz further stated she crossed the River in a raft with 6 other subjects for a total of 7. One of the subjects was the group's foot guide, who was wearing a black sweater and dark jeans. The foot guide instructed the group to follow him and hurry up as they followed. Paz identified Santos Rivera-Garcia as the only foot guide and the person giving them instructions.
2. Rita Beatriz Avalos-Peraza claimed to be a citizen of El Salvador and illegally entered into the U.S. Avalos stated she paid \$3,000 as an advance to a smuggler to be transported to Houston and arranged to pay an additional \$3,000 once she arrived at her destination. Avalos further stated she and the other subjects crossed into the U.S. in a raft and were led by a foot guide. The foot guide was wearing a black sweater and he instructed them to stay and walk in a straight line, not talk, and listen to his directions. Avalos identified Santos Rivera-Garcia as the group's foot guide.